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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PAMMER ET AL-3 PCT

SERIAL NO.: 10/539,297 GROUP: 3661

FILED: JUNE 16, 2005

TITLE: INFRARED (IR) COMMUNICATION DEVICE FOR MOTOR
VEHICLES

SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

MAIL STOP AMENDMENTS

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached hereto is a copy of the International Preliminary
Examination Report.

It is hereby requested that receipt of this International
Preliminary Examination Report be acknowledged by the Patent
Office.

Respectfully submitted,
Raimund PAMMER ET AL

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Enclosures: Copy of International Preliminary Examination Report

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class
mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA
22313-1450, on March 9, 2006.

Kelly Espitia

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

To:

SONN & PARTNER
Riemergasse 14
A-1010 Wien
AUTRICHE

EINGELANGT

- 3. Aug. 2005

Date of mailing (day/month/year)
28 July 2005 (28.07.2005)

Applicant's or agent's file reference
R 42837

IMPORTANT NOTIFICATION

International application No.
PCT/AT2003/000377

International filing date (day/month/year)
19 December 2003 (19.12.2003)

Applicant

EFKON AG et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, GH, KG, KP, KR, MK, MZ, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BW, BY, BZ, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

BEST AVAILABLE COPY

The International Bureau of WIPO
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Translation

PATENT COOPERATION TREATY

PCT/AT2003/000377



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R 42837	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/AT2003/000377	International filing date (day/month/year) 19 December 2003 (19.12.2003)	Priority date (day/month/year) 19 December 2002 (19.12.2002)
International Patent Classification (IPC) or national classification and IPC G07B 15/00, G08C 23/04, H04B 10/22		
Applicant EFKON AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>3</u> sheets.	
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application	

Date of submission of the demand 05 July 2004 (05.07.2004)	Date of completion of this report 28 October 2004 (28.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT2003/000377

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-11, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-11, filed with the letter of 05 July 2004 (05.07.2004)
- ☒ the drawings:
 pages 1/5-5/5, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under Item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT 03/00377

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

- D1: DE 32 48 544 A (SIEMENS AG) 12 July 1984
(1984-07-12)
- D2: DE 42 39 863 A (SAUER GERD) 29 April 1993
(1993-04-29)
- D3: EP-A-0 413 948 (SIEMENS AG) 27 February 1991
(1991-02-27)
- D4: US-A-5 825 007 (JESADANONT MONGKOL) 20 October
1998 (1998-10-20)
- D5: DE 43 27 263 A (DAIMLER BENZ AG) 8 September
1994 (1994-09-08).

1. Independent claim 1:

D1 is regarded as the prior art closest to the subject matter of independent claim 1.

D1 discloses (see figures 5 to 8 and page 10, line 25 to page 13, line 24) a system for transmitting information by means of infrared radiation, using information data that has been modulated up, between stationary beacons and vehicles, each of which is equipped with a transmitter/receiver combination. The transmitters are connected in parallel and transmit the same data simultaneously, and the